



OLD VALUES - NEW HORIZONS
COMMUNITY DEVELOPMENT

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Conservation Commission
January 9, 2014
DRAFT Meeting Minutes

ATTENDANCE

Wayne Morris, Chairman – present
James Finn, Vice Chairman – present
Bernie Rouillard – present
Pamela Skinner – present
Lisa Ferrisi – excused
Justin Pare, alternate – present

The meeting was called to order at 7:30 PM.

Minutes for Approval

- December 12, 2013 – Draft & Non-Public minutes
 - *Motion to approve by Mr. Rouillard, second by Mr. Finn, approved 5-0*
- November 14, 2013 – Draft minutes
 - *Motion to approve by Ms. Skinner, second by Mr. Morris, approved 5-0*

Discussion Topics

Proposed Eagle Scout Project at Moeckel Pond – Wood Duck Boxes

- Marshal Pesaturo from Troop 266 received Eagle Board approval on January 8, 2014 to install four wood duck boxes at Moeckel Pond. Proposal and location map were presented to the Conservation Commission for approval to begin installation in April 2014.
 - *Board approved Marshal's proposal, no vote required.*

Proposed CC Warrant Article

- Status of a citizen's petition for the purchase of Campbell Farm on Kendall Pond Road in the amount of \$860,000 was discussed. A Letter of Intent has been received, but too late for submission to the Board of Selectmen for town approval. Petition wording may need to be changed to reflect amount being requested, approximately \$700,000 as \$150,000 is currently available for the purchase. Additional monies received prior to the town meeting will further reduce the amount requested in the warrant article.
 - *Action: Mr. Morris to advise if new petition wording is needed. Petition must be submitted by January 14, 2014.*

2013 Town Report – Submittal Due Date – January 10, 2014

- Mr. Morris is writing the Conservation report for the 2013 Town Report which will likely be submitted early next week as there is some flexibility in the January 10th due date.

2014 Conservation Commission Meeting Schedule

- Board agreed to keep the current meeting schedule on the second and fourth Thursday of each month.

Planning Board Case Review – February 5, 2014

- Refer to Proposals 3 and 4 below

TRC Case Review – January 14, 2014

Proposal #1 – Minor Site Plan/Change of Use – proposal has been submitted for 33 Rockingham Road (13-A-31) located in Business Commercial District A zone. The applicant, Howard Shafman of New 2 You Cars, on behalf of the property owner, DJR Realty LLC, is proposing to expand the existing business operation by parking 22 additional cars on the site for display and sale for a maximum of 68 cars to be on display. The 6 existing employee spaces, 2 customer spaces, and 2 handicapped spaces will be retained for use. No alteration of terrain is proposed.

- CC reviewed the submitted plan and request (no public presentation made) and had no specific comments.

Proposal #2 – Lot Line Adjustment – proposal has been submitted for 163 & 165 Range Road (21-F-42, 43), located in the Rural District Zone. The applicant Meridian Land Services, Inc. on behalf of the property owner Hy-Rize Holdings, LLC., is proposing to adjust the lot line between the two parcels, thus resulting in a lot containing the existing dwelling sized 1.995 acres (86,909 sq. ft), and a vacant, sized .961 acres, 41,875 sq. ft. The existing cellar hole is proposed to be removed and the area graded for drainage purposes. The property is not listed on the Cultural Resource List or the Historic Resource List.

- Note: The 2013 Tax Map and GIS data display lots 21-F-42 & 21-F-43 as a single lot. This is not accurate, as there are indeed two separate lots as confirmed by a BOS decision in October 2013 which restored "Lot 2" as shown on the 1960 Harold A. Wolfe subdivision plan #03079-B.
 - Mike Ammer from Meridian Land Services presented – three original lots were formerly merged through administrative process. BOS denied one separation of lots resulting in two current lots. Driveway easement was considered but not ideal; Laura Scott suggested a lot line adjustment instead – the existing upland lot will retain access to Range Road, the second lot will utilize Langdon Road. For CC consideration:
 - Wetlands on site do not meet setback requirements under current zoning ordinance – wetland sits in a drainage basin and has little impact on proposed development.
 - Lots are within the Cobbett's Pond watershed overlay district – however, no work is being proposed in the hydrological area which is about 1000 feet from the site. Work to be done will increase impervious area by about 6% (maximum is 30%); drainage will be channeled to an infiltration basin resulting in no increase to peak runoff rate.
 - Source and use of existing 20x20 cellar hole is unknown – CC recommended discussions with HDC regarding the cellar hole.

- No additional feedback from CC.

Proposal #3 – Case #2013-42 WWPDP Special Permit – application has been submitted for 23 Bedros Street (6-A-280), located in the Rural District. The applicant, Shayne Gendron of Edward N. Herbert Associates, on behalf of Michael E. & Mary E. Ryan Liv. Trust, is proposing to construct a pool, pool house, patio, water feature, and associated improvements in the WWPDP. The total proposed permanent disturbance to the WWPDP is 4,500 sq. ft.

- On 12/10/13, the ZBA granted a Variance from Section 601.3 of the *Zoning Ordinance and Land Use Regulations* to permit a pool, pool house, patio, retaining walls, water feature, and associated grading in the WWPDP where it is currently not an allowed use conditioned minimally on the inclusion of a buffer plan as submitted.
- This Application has been tentatively scheduled for review at the 2/5/14 Planning Board hearing.
 - Shayne Gendron presented, pictures provided for reference. Zoning variance has been granted in response to the owner's request to install a pool. An existing wetland was analyzed by Gove Environmental Services and flagged for the project including a required buffer – the new WWPDP line cuts through the back of the house. Gove recommendation includes a planting schedule to create a 15 foot buffer and mulch grove to offset the impacted area of approximately 4500 square feet. Also included in the proposal is a 3.5 foot retaining wall, additional grade lines to minimize excavation, removal of a playset and moving the existing shed outside of the WWPDP area. No additional CC comments.
 - *Action: Wayne to send CC comments to Elizabeth.*

Proposal #4 – Case #2014-1 Modification of Existing Subdivision Approval – proposal has been submitted to amend the existing Subdivision Approval, Case#2012-31, located at 130 Range Road (17-L-43), located in the Residence District A Zone. The applicant, Edward N. Herbert Associates, Inc., on behalf of the property owner, 130 Range Road, LLC., is proposing to modify the existing approval by installing treatment swales to mitigate potential runoff from the proposed driveway as opposed to porous pavement. In conjunction with this, the Applicant has also submitted a Minor Watershed Application.

- This Application has been tentatively scheduled for review at the 2/5/14 Planning Board hearing.
 - Shayne Gendron presented previous subdivision history and 130 Range Road driveway proposal. Approval of previous proposal was dependent on Cobbett's Pond watershed requirements to handle run-off – this was achieved using basins for drains and a porous pavement driveway. Owners have requested another driveway approach as the current solution is costly for single family maintenance. Engineers proposed a bio-retention swale along the side of the driveway to catch run-off from the turnaround pad. Bio-retention system is a little more efficient than pavement, especially since porous pavement is not as effective in cold weather and needs to be maintained to work appropriately. A swale can be maintained with basic landscaping. No further comments by CC.

ZBA Case Review – January 14, 2014

Case #2-2014 Lot 16-E-28 50 Gaumont Road Residence A, Cobbetts Pond/Canobie Lake Overlay District – variances from the following sections of the Zoning Ordinance are requested to raze the existing home and permit the construction of a new single family home with septic, an expansion and addition to the existing garage, and the addition of a new 6 ft x 12 ft shed:

- **Sections 401 & 406.2** – to allow an increase in the volume and footprint of the existing non-conforming structures within the required setbacks thereby rendering the structures more non-conforming.
- **Sections 702 and Appendix A-1** – to allow a lot area of 10,381 sq ft where 50,000 sq ft is required; to allow frontage of 60 ft where 175 ft is required; to allow side setbacks of 16 ft and 10 ft where 30 ft is required for the garage expansion and addition; to allow side setbacks of 2 ft and 9 ft for the home where 30 ft is required; to allow a side setback of 4.5 ft for the deck stairs where 30 ft is required; to allow side setbacks of 15 ft and 20 ft for the shed where 30 ft is required; and to allow a lake setback of 45 ft for the house where 50 ft is required.
- **Section 616.8** – to allow relief from the buffer requirements of the Cobbetts Pond/Canobie Lake Watershed Protection Overlay District.
 - CC reviewed history of requests and hearings related to this property and reviewed the current site plan. Proposal includes: increase house size, move house further from lot line, vertical increase to garage, addition of shed and replace gravel driveway with pavement. All site differences were not clear from review of the plan, but CC had no comments on changes being requested.

DES Correspondence

- 30 Horseshoe Road, Michael and Michelle Fontaine – request for photos of frontage wall to clearly define the project, construction sequence for proposed work and erosion control. Requested 60 days from date of letter – December 17, 2013.
- 25 Cobbetts Pond Road, James Harvey – approval to construct a 400 square foot perch beach received December 27, 2013.
- Non-site specific permit #2012-02681 to fill 67,568 square feet of wetland for Exit 3 Park & Ride lot associated with the I-93 DOT expansion project.

Other Correspondence

- Letter to David Parker, 25 Crestview Road related to abutter complaints – issue has been resolved.
- Authority to remove trail postings on Rail Trail – previously read by CC.
- Society for Protection of NH Forests regarding Ingersoll Family Trust – follow-up to Town of Windham Conservation easement, ground monitoring did not reveal any conflicting activities.
- 12/17/13 letter from Attorney Campbell regarding the Gage land hunting ban – CC discussed at the December 12th meeting and recommended proposal to ban firearms hunting. Issue was also referred to the Recreation Committee; plans will be made to walk the land in the spring.
- Conservation Commission workshop to be held at the Southern NH Planning Commission in Manchester on January 29, 2014.

Non-Public Meeting per RSA 91-A:3 (d)

- No items required for non-public discussion.

Motion made by Mr. Rouillard, second by Mr. Finn to adjourn at 8:46 PM.

These minutes are in draft form and have been submitted for approval by Beth Ann Lapierre.